



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Minidoka Ranger District

3650 South Overland Ave.
Burley, ID. 83318-3242
208-678-0430
Fax: 208-677-4878

5/003/055

File Code: 2810

Date: November 12, 2002

Mr. Michael Cates
Production Manager
Interstate Rock Products
9921 NE 72nd Ave
Vancouver, WA 98682

RECEIVED

NOV 15 2002

DIV. OF OIL, GAS & MINING

Mr. Michael Pauletto
11204 NW 37th Court
Vancouver, WA 98685

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Dear Mr. Cates and Mr. Pauletto:

On October 9, 2002 we received your response to our Notice of Noncompliance issued on July 19, 2002. Your response stated that you are still interested in pursuing this plan of operations and that your permit specialist, Cindy Emmons is currently working on securing access for this project through adjacent private lands. Your project was placed in noncompliance for not having an approved plan of operations that covered the disturbance created by your mining activity in Clark's Basin, Raft River Range, Utah.

The case file for this project shows that on July 11, 2000, A Notice of Intent was submitted to the Forest Service proposing exploration drilling. A reclamation bond of \$1,870 was set for this project and was approved on July 27, 2000. An amendment to the Notice of Intent was approved on August 13, 2000. The amendment proposed excavation of a small test pit and 600 feet of new access road construction in addition to the exploration drilling. A revised bond in the amount of \$3,100 was set for the project. On September 14, 2000 an inspection was made of this project. The inspector found that a considerable amount of unauthorized disturbance had occurred including the construction of several thousand feet of new haul road and the clearing of approximately 3 acres for a quarry area. A Notice of Noncompliance was issued to you on September 23, 2000. On December 18, 2000 a plan of operations was submitted to this office covering the unauthorized disturbance. On December 20, 2000 this office received confirmation that a reclamation surety bond in the amount of \$20,245 had been posted for the unauthorized disturbance. On March 9, 2001 public scoping was initiated for the proposed plan of operations. On April 9, 2001 Interstate Rock Quarries entered into a Memorandum of Understanding (MOU) with the U.S. Forest Service detailing the preparation of a third party NEPA document for the proposed mining activities. Inspections indicate that the site appears abandoned and that reclamation of the disturbance has not been completed.

According to our copy of the reclamation bond, the coverage under your reclamation bond expires on December 21, 2002. If you wish to pursue approval for your proposed operations,



than the bond must be extended to cover the disturbance created by your project. If we do not receive confirmation by November 27, 2002 that the bond has been renewed, we may begin action to take the bond and begin reclamation of this project on our own.

Additionally, if the access issue is not resolved in a reasonable time period, we will request that you complete reclamation for this project.

If you have any questions or comments, please contact Steve Flock, Minerals Management Specialist, at the above address or telephone number.

A handwritten signature in cursive script, appearing to read "Scott Nannenga".

SCOTT C. NANNENGA
Minidoka District Ranger

cc. Mr. Lynn Kunzler
Utah Division of Oil, Gas and Mining

cc: Jeff Gabardi